United Nations A/AC.183/SR.285

General Assembly

Distr.: General
2 June 2005

Original: English

Committee on the Exercise of the Inalienable Rights of the Palestinian People

Summary record of the 285th meeting
Held at Headquarters, New York, on Wednesday, 11 May 2005, at 10.30 a.m.

Chairman: Mr. Badji ..... (Senegal)

Contents

Adoption of the agenda

Report by the Chairman on developments since the previous meeting

Developments in the Middle East peace process and the situation in the Occupied Palestinian Territory, including East Jerusalem

Report by the Chairman on the United Nations International Meeting on the Question of Palestine held on 8 and 9 March 2005 at the United Nations Office at Geneva, and the consultations with civil society organizations held on 10 March 2005

Report by the Chairman on his attendance at the Peace in Palestine Conference, 28-30 March 2005, Putrajaya, Malaysia

Accreditation of civil society organizations with the Committee

This record is subject to correction. Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Chief, Official Records Editing Section, room DC2-750, 2 United Nations Plaza.

Any corrections to the record of this meeting and of other meetings will be issued in a corrigendum.

05-34094 (E)

The meeting was called to order at 10.45 a.m.

Adoption of the agenda

1. *The agenda was adopted.*

Report by the Chairman on developments since the previous meeting

2. **The Chairman** said that he would be reporting later on the United Nations International Meeting on the Question of Palestine which had been held on 8 and 9 March 2005 in Geneva, and on the consultations with civil society organizations that had followed.

3. He drew attention to a letter he had written, in his capacity as Chairman of the Committee, to the Secretary-General (A/ES-10/301-S/2005/262) expressing the Committee's deep concern about Israel's activities aimed at expanding its settlements in the Occupied Palestinian Territory and reiterating that the continued creation by Israel of facts on the ground contradicted the road map, which obligated the Israeli Government to dismantle settlement outposts and freeze all settlement activity.

4. On 6 May 2005, the Secretary-General had appointed Mr. Alvaro de Soto as United Nations Special Coordinator for the Middle East Peace Process and as his Personal Representative to the Palestine Liberation Organization and the Palestinian Authority. He looked forward to working in close cooperation with Mr. de Soto towards the full implementation of the relevant United Nations resolutions and of the road map with a view to achieving a comprehensive, just and lasting settlement of the question of Palestine.

5. Also on 6 May 2005, he had met with representatives of civil society organizations active in the United Nations and/or in the Greater New York area. The meeting had taken place in conjunction with the screening of a documentary entitled "Rachel — an American Conscience". The NGOs had briefed him on their recent initiatives, and he had discussed with them the status of preparations for the 2005 United Nations International Conference of Civil Society in Support of the Palestinian People. It had been agreed with the NGO Steering Committee that the Conference would be convened in early summer in a European city in order to reach out to civil society organizations in Europe and the Middle East.

Developments in the Middle East peace process and the situation in the Occupied Palestinian Territory, including East Jerusalem

6. **Ms. Barghouti** (Observer for Palestine) said that the situation in the Occupied Palestinian Territory remained critical, as there had been only minor improvements on the ground. The Palestinian people continued to feel deep anger and frustration at the harsh conditions they faced. The Palestinian Authority had taken positive steps to calm the situation, in line with its firm commitment to the Sharm el-Sheikh understandings. Regrettably, those measures had been taken against the backdrop of incessant human rights violations committed by the occupying Israeli forces against the Palestinian people, including the killing of 30 civilians since the Sharm el-Sheikh summit and the wounding of at least 241 others, the destruction and demolition of civilian property and the imposition of severe restrictions on the movement of Palestinian persons and goods by means of closures, checkpoints and roadblocks.

7. She was pleased to note, however, that local and municipal elections had been held on 6 May 2005. According to election monitors, including international observers, the elections had been transparent and had taken place in a positive environment. The success of the elections, and of the recent presidential elections, and the holding of the forthcoming Legislative Council elections would make a significant contribution to the strengthening of national institutions and the rule of law.

8. A number of critical issues were placing a great strain on the fragile situation on the ground. The occupying Power was intensifying its illegal policies aimed at changing the legal status, demographic composition and character of occupied East Jerusalem. Just two months earlier, the Israeli Government had approved plans to build an additional 3,500 housing units in the "Ma'ale Adumim" settlement, the largest illegal Israeli settlement located east of Jerusalem in the Occupied Palestinian Territory. The intention was to connect the settlement with West Jerusalem, thereby encircling occupied East Jerusalem and cutting it off from its natural Palestinian surroundings. Such illegal actions were in flagrant violation of international law, particularly the Fourth Geneva Convention.

9. Also, in recent weeks, Israeli extremists had made several attempts to carry out an attack on the

Haram al-Sharif. In response to the latest attempt, the occupying Israeli forces had chosen to punish the Palestinian population for the illegal actions of the Israeli extremists by closing off all entrances to Jerusalem and preventing Palestinians from entering the Haram al-Sharif. Moreover, they had used excessive force against the thousands of Palestinians in the vicinity, critically wounding at least 18 persons. The Palestinian leadership viewed such actions as grave threats to the prospects for peace in the region and would hold the Israeli Government responsible for any harm that might befall the Haram al-Sharif. It had called on the international community to bring pressure to bear on Israel to protect all Muslim and Christian and holy sites and to put an end, once and for all, to attempts to desecrate such sites.

10. The construction of illegal Israeli settlements, and of the expansionist wall, was a flagrant breach of international law, demonstrated total contempt for the Advisory Opinion of the International Court of Justice of 9 July 2004 and constituted a clear violation of the road map. There must be a complete cessation of such activities, which threatened to destroy any possibility of achieving peace in the region. The Palestinian Authority welcomed the insistence by the United States Government that Israel must honour its commitment to halt settlement expansion, and hoped that those words would be translated into deeds. The Palestinian leadership would continue to seek international support to pressure Israel to end its colonization of Palestinian land. With respect to the wall, it would seek the full implementation of General Assembly resolution ES-10/15, which called on Israel to comply with its legal obligations as mentioned in the Advisory Opinion. The Palestinian Authority had urged the High Contracting Parties to the Fourth Geneva Convention to submit to Switzerland, in its capacity as depositary of the Geneva Conventions, recommendations for specific measures to ensure respect by Israel for the Convention.

11. She reaffirmed the importance that the Palestinian Authority attached to the Sharm el-Sheikh understandings. It had taken firm and consistent steps towards their full implementation, including reform of the security services and other institutions. Regrettably, Israel had made little progress in fulfilling its obligations, which included withdrawing from Palestinian cities, halting violence and destruction, releasing Palestinian prisoners and allowing the return of deportees. She underscored that the Palestinian side expected the occupying Israeli forces to withdraw to pre-September 2000 positions. In addition, deportees must be allowed to return to their original places of residence.

12. Israel continued to delay its planned withdrawal from the Gaza Strip and parts of the West Bank based on false and groundless assertions. That withdrawal, when it took place, must be viewed as the first step towards the implementation of Israel's obligations under the road map. It must not result in any change in the legal status of the area concerned. That would be a violation of the principle of the territorial integrity and unity of the Occupied Palestinian Territory. As the Palestinian Authority had made clear, the option of a State with temporary borders was unacceptable.

13. In the context of the security coordination between the two sides, the Israeli Government should provide the Palestinian Authority with all necessary information concerning the arrangements for the withdrawal and the period afterwards. The withdrawal from Gaza must be complete and must include the Salah al-Din border area near Egypt. It must be followed by withdrawal from the West Bank to pre-September 2000 positions. A safe passage must be established between the Gaza Strip and the West Bank, and all restrictions on the movement of Palestinian persons and goods within the Occupied Palestinian Territory, including East Jerusalem, must be eliminated. Furthermore, a clear plan must be developed for the reconstruction and opening of a functioning airport and seaport and for the reopening of all commercial border crossings, including Beit Hanoun, if Gaza was not to become a walled prison following the intended withdrawal. The Rafah crossing, Gaza's only access point to the outside world, must be placed under Palestinian control. Lastly, in accordance with international law, the land must be returned in its original state.

14. The socio-economic situation of the Palestinian people continued to deteriorate. The Palestinian Authority appreciated the assistance provided by the international community to alleviate the suffering of the Palestinian people and the pledges of assistance made at the London Meeting on supporting the Palestinian Authority. However, it wished to make clear that, while there would have to be a special focus on Gaza and the northern West Bank following the planned Israeli withdrawal, development assistance

strategies must incorporate plans for the entire Occupied Palestinian Territory, including East Jerusalem.

15. The Palestinian Authority was committed to the implementation of the road map, which would facilitate the revival of the peace process and the resumption of final status negotiations based on the relevant resolutions of the Security Council. In that connection, it would welcome the convening of an international peace conference in the second half of the year, as had been proposed by some Governments. It stood ready to engage actively and positively in any endeavour that would contribute to the realization of the goals of ending the Israeli occupation, establishing a Palestinian State with East Jerusalem as its capital, establishing a comprehensive and lasting peace in the region and achieving the exercise by the Palestinian people of their inalienable rights, including the rights to self-determination and independence.

16. **Mr. Mekdad** (Observer for the Syrian Arab Republic) said that the situation in the Occupied Palestinian Territory was marked by contradictions. Israel was planning to withdraw from Gaza, yet, at the same time, the Israeli Government was planning a massive settlement expansion. Colonists removed from Gaza would simply be relocated to settlements in the West Bank and occupied East Jerusalem. That policy was very dangerous and threatened to create an explosive and bloody situation in the Middle East. The Committee must therefore redouble its efforts to halt the Israeli plans.

17. Flouting international law was a long-standing practice of the Israeli leadership. Notwithstanding the Advisory Opinion of the International Court of Justice, Israel was proceeding with the construction of its expansionist wall and more settlements were being built. The United Nations must assume its responsibility to address the threat posed by the aggressive policies of Israel and secure the implementation of all relevant resolutions.

18. **Mr. Sow** (Guinea) said that his Government remained committed to the struggle of the Palestinian people for liberation. With the emergence of democratic Palestinian institutions, the prospects for success in that struggle had improved. It was therefore critical for the Committee to intensify its efforts in support of the Palestinian people.

Report by the Chairman on the United Nations International Meeting on the Question of Palestine held on 8 and 9 March 2005 at the United Nations Office at Geneva, and the consultations with civil society organizations held on 10 March 2005

19. **The Chairman** said that the Meeting had had as its theme "Implementing the Advisory Opinion of the International Court of Justice on the Construction of a Wall in the Occupied Palestinian Territory — The role of Governments, intergovernmental organizations and civil society", and had focused inter alia on the responsibility of Governments and intergovernmental organizations and the role of parliaments and civil society in promoting respect for international law.

20. While welcoming Israel's intention to withdraw from the Gaza Strip and parts of the West Bank, participants had underscored the importance of implementation within the framework of the road map and had cautioned against any transfer of Israeli settlers from the Gaza Strip to the West Bank, reiterating that Israel must comply with its legal obligations to cease the construction of the wall in the Occupied Territory. To that end, they had urged Member States to prohibit individuals or entities under their jurisdiction from assisting in the construction of the wall and had called on the international community to adopt measures to persuade the Government of Israel to comply with international law and the Advisory Opinion.

21. The report of the International Meeting would be available online and would also be issued as a publication of the Division for Palestinian Rights.

22. The Committee delegation had also met the Secretary General of the Inter-Parliamentary Union (IPU), Mr. Anders Johnsson, who had informed it of IPU efforts to assist the Palestinian Authority in finalizing the electoral law and strengthening the oversight role of the Palestinian Legislative Council, its budget committees and its activities in the field of human rights. It was crucial for IPU to bring together members of the Knesset and the Council. Mr. Johnsson had also drawn attention to the forthcoming meeting of speakers of parliaments at United Nations Headquarters, which would provide the opportunity to establish direct contacts between Committee members and parliamentarians. It had been agreed that participation of parliamentarians in the meetings

organized under the auspices of the Committee should be expanded.

23. On 10 March 2005, the delegation had held consultations with 24 representatives of non-governmental organizations on the Committee's programme of cooperation with civil society. Some representatives had emphasized the need to explain to civil society the parameters of a solution based on relevant United Nations resolutions and had cited examples of how to engage Governments in a dialogue regarding adherence to the Advisory Opinion. The representatives of the United States Presbyterian Church and the World Council of Churches had called for divestment from companies that promoted Israel's occupation of Palestinian land and, in that connection, a number of representatives had urged the United Nations to call for socially responsible investment.

24. Representatives had also suggested that the next International Conference of Civil Society in Support of the Palestinian People should be held in Europe and should focus on the inalienable rights of the Palestinian people. The Bureau of the Committee would take those suggestions into account.

25. He took it that the Committee wished to take note of the report.

26. *It was so decided.*

Report by the Chairman on his attendance at the Peace in Palestine Conference, 28-30 March 2005, Putrajaya, Malaysia

27. **The Chairman** said that the Conference, which had been organized by Peace Malaysia, had brought together civil society groups from all over the world, in an effort to intensify the international campaign for peace between Israelis and Palestinians and for an independent Palestinian State.

28. The Conference had concluded by adopting the Putrajaya Action Plan which called, inter alia, for the establishment of an International Centre on Palestine for Civil Society in the South, to be located in Malaysia. The Centre would coordinate the activities of existing Palestinian support groups and networks in the South; initiate the creation of new support groups and networks in developing countries; forge close ties with Palestinian support groups in North America and Europe; and develop an effective relationship with the Committee, the Division for Palestinian Rights and the International Coordinating Network on Palestine.

29. **Ms. Barghouti** (Observer for Palestine) expressed deep appreciation for the importance attached by the Government and people of Malaysia to the issue of Palestine and expressed her delegation's support for the development of the International Centre on Palestine.

30. **Mr. Mohd Radzi** (Malaysia) said that Conference had been intended to break the stalemate in the peace process. He welcomed the establishment of the Centre, which should contribute to other initiatives for the promotion of peace in Palestine.

31. **The Chairman** said he took it that the Committee wished to take note of the report.

32. *It was so decided.*

Accreditation of civil society organizations with the Committee

33. **The Chairman** said that the following non-governmental organizations had applied to be accredited with the Committee: Association des juristes Maliennes, Friends of Al-Aqsa, International Forum for Justice and Peace, Ireland-Palestine Solidarity Campaign, Jerusalem Center for Educational Enrichment, Palestinian American Culture and Friendship Association, Palestinians for Peace and Democracy and The Treatment and Rehabilitation Center for Victims of Torture. The Bureau of the Committee had reviewed the applications and was recommending that they should be accredited.

34. He took it that the Committee wished to accredit those organizations.

35. *It was so decided.*

The meeting rose at 12.05 p.m.